

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAURI VALJAKKA)	
)	
<i>Plaintiff,</i>)	Civil Action No. 22-cv-001490-JKP
v.)	
)	NOTICE OF ACTIVITIES OF
NETFLIX, INC.)	DEFENDANT’S COUNSEL, RACHAEL
)	LAMKIN
<i>Defendant</i>)	

Notice is hereby provided to the Honorable Jon S. Tigar that pursuant to Federal Rule of Civil Procedure 70, Netflix Attorney Rachael D. Lamkin is violating this Court’s order (Dkt. #278) and should be held in contempt.

On March 14, 2024, this Court ordered that Whitestone Law, including Attorney’s Zito, Lund and Sheets, cannot represent Plaintiff Lauri Valajkka nor third party AiPi without violating the duty of loyalty. Dkt. # 278, 3:4-5. Accordingly, this Court disqualified attorneys at Whitestone Law from representing AiPi. Dkt. # 278, 3:5-6.

On June 7, 2024, Ms. Lamkin emailed attorney Joseph Zito (who is no longer at Whitestone Law) and Whitestone attorney Erik Lund regarding new requests for discovery of AiPi. (*See Ex. A.*) Mr. Zito responded to Ms. Lamkin’s email reminding Ms. Lamkin that he does not represent AiPi and cannot represent AiPi. *Id.*

On June 10, 2024, Ms. Lamkin again contacted Mr. Zito and Mr. Lund via email, this time to attempt to improperly serve a notice on AiPi. (*See Ex. B.*) Mr. Zito again reminded Ms. Lamkin that he and Mr. Lund are precluded from representing AiPi. (*Id.*) Mr. Zito informed Ms. Lamkin that if she continued to violate this Court’s order, he would report her violations to this

Court. (*Id.*)

Despite Mr. Zito's clear warning, Ms. Lamkin continued to harass Mr. Lund and added Mr. Sheets, whom Ms. Lamkin is well aware is also precluded from representation. On June 24, 2024, Ms. Lamkin emailed Mr. Lund and another Whitestone attorney Ken Sheets asking who AiPi's counsel is. (*See* Ex. C.) Ms. Lamkin, did not oppose Whitestone's disqualification (Dkt. #251, p. 7) attended both hearings on the issue, and has been reminded multiple times that Whitestone cannot represent AiPi.

Ms. Lamkin's conduct is an intentional violation of this Court's order.

Undersigned counsel requests that this Court remind Ms. Lamkin of her duty to respect the orders of this court and not attempt to re-create any attorney client relationship nor any appearance of any relationship between counsel and former clients.

Dated: June 27, 2024

Respectfully submitted

/s/ Joseph J. Zito

Joseph J. Zito

DNL ZITO

1250 Connecticut Avenue, NW, Suite 700

Washington, DC 20036

202-466-3500

jzito@dnlzito.com

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure, I hereby certify that the foregoing notice has been filed with the Court's ECF/CM System this 27th day of June, 2024, for service on counsel of record.

/s/ Joseph J. Zito
Joseph J. Zito